

OCT 06 2004

VIA FACSIMILE: (703) 872-9306

100718-362/ Beiersdorf 758-HCL

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS : LANZENDÖRFER et al.  
SERIAL NO. : 10/025,065  
FILED : 19 December 2001  
FOR : O/W EMULSIONS CONTAINING ONE OR MORE AMMONIUM  
ACRYLOYLDIMETHYLAURATE/VINYLPYRROLIDONE  
COPOLYMERS  
ART UNIT : 1617  
EXAMINER : ShaoJia A. Jiang, Ph.D.

---

October 6, 2004

Hon. Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER**

Sir:

Your petitioner, Beiersdorf AG, of D-20253 Hamburg, Germany, represents that it is the 100% owner of the above-identified application by virtue of an assignment which was recorded in the U.S. Patent Office on May 6, 2002, at Reel 012879, Frame 0533. Your petitioner hereby disclaims the terminal portion of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term of any patent issuing from application Serial No. 10/602,392 and hereby agrees that any patent so granted on said above-identified application shall be enforceable only for and during such period that it and any patent issuing from application Serial No. 10/602,392 are commonly owned, this agreement to run with any patent granted on said above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on said above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of any patent issuing from application Serial No. 10/602,392 in the event that any said issued patent later: (1) expires for failure to pay a maintenance fee, (2) is held unenforceable, (3) is found invalid, (4) is statutorily disclaimed in whole, (5) is terminally disclaimed under 37 CFR 1.321(a), (6) has all claims canceled by a reexamination certificate, or (7) is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer except for the separation of legal title stated above.

The undersigned is an attorney/agent of record and authorized to sign and submit this terminal disclaimer.

**ADDITIONAL FEES**

The Commissioner is hereby authorized to charge any fees which may be required, including the Terminal Disclaimer fee of \$110.00, or credit any overpayment to Deposit Account No. 14-1263.

Respectfully submitted,

NORRIS MCLAUGHLIN & MARCUS, P.A.

By Howard C. Lee  
Howard C. Lee  
Reg. No. 48,104

875 Third Ave.  
18<sup>th</sup> Floor  
New York, New York 10022  
(212) 808-0700

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that the foregoing Terminal Disclaimer (2 pages total) is being facsimile transmitted to the United States Patent and Trademark Office on the date indicated below:

Date: October 6, 2004

By Agata Glinska  
Agata Glinska

RECEIVED  
CENTRAL FAX CENTER

OCT 06 2004

Beiersdorf 758-HCL  
100718-362

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : LANZENDÖRFER et al.  
SERIAL NO. : 10/025,065  
FILED : 19 December 2001  
FOR : O/W EMULSIONS CONTAINING ONE OR MORE AMMONIUM  
ACRYLOYLDIMETHYLTAURATE/VINYLPYRROLIDONE  
COPOLYMERS  
ART UNIT : 1617  
EXAMINER : Shaojia A. Jiang, Ph.D.

---

October 6, 2004

Assistant Commissioner for Patents  
P.O.Box 1450, Alexandria,  
VA 22313-1450

TERMINAL DISCLAIMER

Sir:

Your petitioner, Beiersdorf AG, represents that it is the assignee of the above-identified application by virtue of an assignment which was recorded in the U.S. Patent Office on May 6, 2002, at Reel 012879, Frame 0533. Your petitioner hereby disclaims the terminal portion of any patent granted on the above-identified application which would extend beyond the expiration date of U.S. Patent No. 6,620,420 B2 issued September 16, 2003, for *Gel Creams in the Form of O/W Emulsions Containing One or More Ammonium Acryloyldimethyltaurate/ Vinylpyrrolidone Copolymers*, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,620,420 B2 this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any Terminal Disclaimer of U.S. Patent No. 6,620,420 B2 in the event that it later: (1) expires for failure to pay a maintenance fee, (2) is held unenforceable, (3) is found invalid, (4) is statutorily disclaimed in whole, (5) is terminally disclaimed under 37 C.F.R. 1.321(a), (6) has all claims cancelled by a reexamination certificate, or (7) is otherwise terminated prior to the expiration of its statutory term as presently shortened by any Terminal Disclaimer, except for the separation of legal title stated above.

The undersigned is an attorney/agent of record and authorized to sign and submit this terminal disclaimer.

ADDITIONAL FEES

The Commissioner is hereby authorized to charge any fees which may be required, including the Terminal Disclaimer fee of \$110.00, or credit any overpayment to Deposit Account No. 14-1263.

Respectfully submitted,

NORRIS, McLAUGHLIN & MARCUS

By: Howard C. Lee  
Howard C. Lee  
Reg. No. 48,104

875 Third Ave.  
18<sup>th</sup> Floor  
New York, New York 10022  
(212) 808-0700

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the foregoing Terminal Disclaimer is being facsimile transmitted to the United States Patent and Trademark Office on the date indicated below:

Date:  
October 6, 2004

By: Agata Gliniska  
Agata Gliniska